

**SUSSMAN & WATKINS**

- Attorneys at Law -

MICHAEL H. SUSSMAN  
CHRISTOPHER D. WATKINS  
MICHAEL A. DEEM  
AMY M. ATTIAS

*Of Counsel*  
MARY JO WHATELEY

1 RAILROAD AVE. - SUITE 3  
P.O. BOX 1005  
GOSHEN, NEW YORK 10924

(845) 294-3991  
Fax: (845) 294-1623  
sussman1@frontiernet.net

PARALEGAL  
JONATHAN R. GOLDMAN

LEGAL ASSISTANTS  
SONNIA MORSTATT  
RAINA I. OBIE

September 18, 2014

**VIA ECF & U.S. MAIL**

Hon. Lisa M. Smith  
United States District Court  
Southern District of New York  
300 Quarropas Street  
White Plains, NY 10601

**Re: Dancy, et al v. McGinley et al;**  
**11 cv 7952 (LMS)**

Dear Judge Smith:

We represent plaintiffs in this lawsuit. Previously, on August 18, 2014, I advised the Court that we had reached a verbal settlement agreement pending approval by the Poughkeepsie City Council. As a result, Your Honor issued a 45-day dismissal order and the September 15 trial date was cancelled. I have now been advised that the City Council did not, and will not, approve the settlement. Therefore, I request that this matter be re-opened. I have also been advised that defendants will be changing counsel to John Murtaugh, Esq., whom I am copying on this letter, but no formal substitution has yet occurred.

Thank you.

Respectfully submitted,

  
Christopher D. Watkins

cc: Kyle Barnett, Esq. and Adrienne Odierna, Esq. (Via ECF and Email)  
John Murtaugh, Esq. (Via EMail)

If checked, please respond to one of our offices

☐ 145 Main St. - 2<sup>nd</sup> Floor  
Ossining, NY 10562  
(914) 236-3610 (ph)  
(914) 236-2308 (fax)

☐ 11 Fowler St.  
Port Jervis, NY 12771  
(845) 294-3991

☐ 159 Canal St.  
Ellenville, NY 12428  
(845) 294-3991